This application has been carefully reviewed in light of the Office Action dated October 4, 2005. Claims 33 to 37 are now pending in the application, with Claims 1, 3 to 7, 9 to 13 and 15 to 32 having been canceled herein, and Claims 33 to 37 having been newly-added. Claims 33, 36 and 37 are the independent claims herein. Reconsideration and further examination are respectfully requested.

In the Office Action, Claim 15 was objected to for an informality, Claims 1, 3, 4, 7, 9, 10, 13, 15, 16, 19, 20, 24, 28 and 32 were rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,633,400 (Sasaki), and Claims 5, 6, 11, 12, 17, 18, 21 to 23, 25 to 27 and 29 to 31 were rejected under 35 U.S.C. § 103(a) over Sasaki in view of U.S. Patent No. 6,714,964 (Stewart). Without conceding the correctness of the objection or the rejections, it is respectfully submitted that they are obviated by the cancellation of the claims. Nonetheless, reconsideration and withdrawal of the objection and rejections are respectfully requested. Additionally, Applicant submits that newly-added Claims 33 to 37 are allowable over the art of record for at least the following reasons.

The present invention relates to ordering of print through a print management apparatus. According to the invention of Claims 33, 26 and 37, a print ordering apparatus discriminates whether a printer information description file stored in the print management apparatus is updated. Based on the discrimination result, the printer information description file is downloaded by the print ordering apparatus from said print management apparatus, and print data is formed in accordance with the printer information description file. In this manner, the print ordering apparatus can determine the type of printer that the print management apparatus can communicate with and can form the print data in a compatible format before uploading a print order file to the management apparatus for printing by the printer.

The art of record is not seen to disclose or to suggest the features of newly-added independent Claims 33, 36 and 37, and in particular, is not seen to disclose or to suggest at least the feature of a print ordering apparatus discriminating whether a printer information description file stored in the print management apparatus is updated, and then downloading the printer information description file from said print management apparatus based on the discrimination result.

Sasaki is seen to disclose a print system that includes a client apparatus, a client server apparatus, and a printer. When the printer's properties (e.g., paper, fonts, ink, reproduction color range) stored in the client apparatus are changed, print setting information is downloaded from the client server to the client apparatus. In contrast, in the present invention, when the printer information description file is updated in the print management apparatus (client server), the print ordering apparatus (client apparatus) detects this change and downloads the printer information description file so that the print data can be formed accordingly. Thus, Sasaki is not seen to disclose or to suggest the features of the present invention.
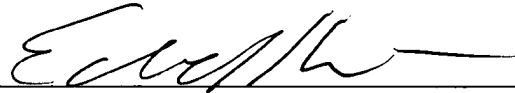
Stewart is merely seen to disclose that, if a printer driver installed in a client is not the latest version, the client is notified accordingly. Thus, Stewart is not seen to add anything to overcome the deficiencies of Sasaki.

In view of the foregoing, Claims 33 to 37 are believed to be allowable.

No other matters having been raised, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

Attorney for Applicant
Edward A. Kmett
Registration No. 42,746

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

CA_MAIN 106807v1